

AldenLaw

John L. Alden
Anthony E. Palmer, Jr.

One East Livingston Avenue
Columbus, Ohio 43215-5700
www.aldenlaw.net

Telephone: (614) 221-1306
Facsimile: (614) 221-3551
jalden@aldenlaw.net

236285

July 7, 2014

VIA ELECTRONIC MAIL <http://www.stb.dot.gov>

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

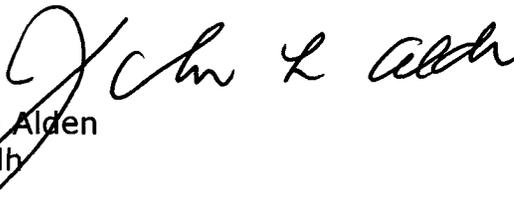
ENTERED
Office of Proceedings
July 7, 2014
Part of
Public Record

**RE: STB FINANCE DOCKET NO. FD-35794, KAN RAIL, INC. –
NOTICE OF INTENT**

Dear Ms. Brown:

On behalf of KAN Rail Inc. ("KAN Rail") and pursuant to the July 2, 2014 filing by CSX Transportation, Inc. ("CSXT") in the above-referenced proceeding before the Surface Transportation Board (the "Board"), I am writing to notify the Board that KAN Rail intends to treat CSXT's filing as a motion to dismiss and, accordingly, reserves the right to file a reply to such pleading.

Respectfully submitted,



John Alden
JLA/lh

Cc: Charles Ring, Vice President, KAN Rail, Inc.
Louis E. Gitomer, Counsel for CSX Transportation, Inc.